## IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

## **CHARLESTON DIVISION**

JAMES NATHANIEL BRASWELL,	)	
Plaintiff,	)	
<b>v.</b>	)	<b>Civil Action No. 2:20-00872</b>
	)	
SGT. X MUNCIE, et al.,	)	
	)	
Defendants.	)	
	ORDER	

Pending before the Court is Plaintiff's second Motion to Continue Response Deadline (Document No. 21), filed on June 17, 2021. Plaintiff seeks an extension of time in which to file a Response to the Defendants Jividen and Roberts' Motion to Dismiss (Document No. 14). (Id.) In support of his Motion, Plaintiff explains that he was released to a rehabilitation program on May 17, 2021. (Id.) Plaintiff states that this program required "a 30 day 'black out' period that limited the use of cell phones, landline phones, computers, and restricted the leaving of the institution." (Id.) Plaintiff, therefore, states that he has not had access to a library, his medical records, or his legal materials. (Id.) Finally, Plaintiff indicates that he retained Jay T. McCamic as counsel on June 16, 2021. (Id.) Plaintiff, however, states that Mr. McCamic "will need a short intermission to prepare, instruct, and arrange for the Plaintiff." (Id.) It is hereby ORDERED that Plaintiff's above Motion (Document No. 21) is GRANTED. Plaintiff shall file a Response to Defendants Jividen and Roberts' Motion to Dismiss (Document No. 14) by August 17, 2021. Due to the Court's granting of two generous extensions of time, Plaintiff is advised that no further extensions of time will be granted. Following service of Plaintiff's Response, the Defendants will

<sup>&</sup>lt;sup>1</sup> The undersigned notes that Mr. McCamic has not yet filed a Notice of Appearance on behalf of Plaintiff.

have seven (7) business days within which to file a Reply to Plaintiff's Response.

The Clerk is hereby directed to send a copy of this Order to Plaintiff, who is acting *pro se*, and counsel of record.

ENTER: June 21, 2021.

Omar J. Aboulhosn

United States Magistrate Judge